I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: April 19, 2010

Electronic Signature for William A. Di Bianca: /William A. Di Bianca/

Docket No.: SPINE 3.0-437 CPCPCPCPCPCP I CON III (PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Errico et al.

Application No.: 10/663,488

Group Art Unit: 3738

Filed: September 16, 2003 Examiner: B. E.

Pellegrino

For: INTERVERTEBRAL SPACER DEVICE HAVING AN ENGAGEMENT HOLE FOR MANIPULATION USING A SURGICAL

TOOL

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Information Disclosure Submission of the present should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Application No.: 10/663,488 Docket No.: SPINE 3.0-437 CPCPCPCPCPCP

Dated: April 19, 2010 Respectfully submitted,

> Electronic signature:
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